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PTO/SB/21 (08-06)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/033,243	
	Filing Date	December 27, 2001	
	First Named Inventor	Karen L. FEARON	
	Group Art Unit	1653	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	8 pages + 3 refs.	Attorney Docket Number	377882001800

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (Supplemental) – 3 pages <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) 1. Copy of International Search Report – 2 pages 2. PTO Form-1449 + additional copy – 2 pages 3. Three (3) references 4. Return receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	MORRISON & FOERSTER LLP Jill A. Jacobson - 40,030	
Signature	<i>Jill A. Jacobson</i>	25226 PATENT TRADEMARK OFFICE
Date	July 17, 2003	

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 7-17-03

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7/25
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PATENT
Docket No. 377882001800
Client Ref. DVAX1800

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Abby Berghella
(Abby Berghella)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Karen L. FEARON and Dino DINA

Serial No.: 10/033,243

Filing Date: December 27, 2001

For: IMMUNOMODULATORY
POLYNUCLEOTIDES AND METHODS
OF USING THE SAME

Examiner: Not Yet Assigned

Group Art Unit: 1653

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO-1449 were cited in an International Search Report mailed on May 23, 2003 (copy attached) directed to a counterpart international or foreign application. This Supplemental Information Disclosure Statement includes documents mentioned in the International Search Report that were not previously in an Information Disclosure Statement.

This Supplemental Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 377882001800. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 17, 2003

Respectfully submitted,

By: Jill A. Jacobson
Jill A. Jacobson
Registration No. 40,030

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#10

Form PTO-1449

Docket Number 377882001800

Application Number 10/033,243

Inventor(s)

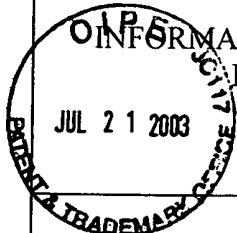
Karen L. FEARON and Dino DINA

Filing Date December 27, 2001

Group Art Unit 1653

Mailing Date July 17, 2003

Examiner Name Not Yet Assigned



INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

JUL 21 2003

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Document Date (MM/DD/YYYY)	Document No.	Name	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Publication Date (MM/DD/YYYY)	Document No.	Country	Translation YES NO
	1.	01/03/2003	WO 03/000922	WIPO	
	2.	02/20/2003	WO 03/014316	WIPO	
	3.	02/27/2003	WO 03/015816	WIPO	

OTHER DOCUMENTS

(including Author, Title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title

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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

pa- 805890

PTO/SB/ 08 (04-03)